

Notice of Allowability

Application No.

09/404,903

Examiner

VAN H. NGUYEN

Applicant(s)

AULT ET AL.

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendments and supporting arguments filed 01/19/05.
2. ☒ The allowed claim(s) is/are 1-3, 5-9, 24, 26, 34, and 36 (now renumbered as 1-12).
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

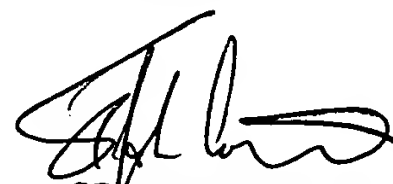
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ST. JOHN COURTENAY III
PRIMARY EXAMINER

Examiner's Amendment

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

II. Authorization for this examiner's amendment was given in a telephone interview with Mr. William A. Kinnaman (Reg. No. 27, 650) on June 6, 2005.

III. **The application has been amended as follows:**

A. **All previous copies of claims 1, 24, and 34 have been replaced with the following clean copy of claims 1, 24, and 34 as amended by the Examiner's amendment:**

Claim 1. A method of performing a recoverable operation on a message queue in response to a request by a caller in an information handling system, said method comprising the steps of:

storing a use count for said message queue indicating a count of tasks accessing said message queue;

storing a use count flag for said caller indicating whether said caller has acquired a lock on said message queue;

comparing said use count with a previously read use count; and
if said use count matches said previously read use count, then, atomically with said
comparing step, updating said use count to indicate a new count of tasks accessing said message
queue and updating said use count flag to indicate whether said caller has acquired a lock on said
message queue, wherein said updating steps are performed by executing a single atomic
instruction that updates said use count and, concurrently therewith, updates said use count flag.

Claim 24. Apparatus for performing a recoverable operation on a message queue in
response to a request by a caller in an information handling system, comprising:

means for storing a use count for said message queue indicating a count of tasks
accessing said message queue;

means for storing a use count flag for said caller indicating whether said caller has
acquired a lock on said message queue;

means for comparing said use count with a previously read use count; and

means responsive to a successful comparison of said use count with said previously read
use count and operating atomically with said comparing means for updating said use count to
indicate a new count of tasks accessing said message queue and updating said use count flag to
indicate whether said caller has acquired a lock on said message queue, wherein said updating
steps are performed by executing a single atomic instruction that updates said use count and,
concurrently therewith, updates said use count flag.

Claim 34. A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for performing a recoverable operation on a message queue in response to a request by a caller in an information handling system, said method steps comprising:

storing a use count for said message queue indicating a count of tasks accessing said message queue;

storing a use count flag for said caller indicating whether said caller has acquired a lock on said message queue;

comparing said use count with a previously read use count; and

if said use count matches said previously read use count, then, atomically with said comparing step, updating said use count to indicate a new count of tasks accessing said message queue and updating said use count flag to indicate whether said caller has acquired a lock on said message queue, wherein said updating steps are performed by executing a single atomic instruction that updates said use count and, concurrently therewith, updates said use count flag.

B. Claim 10 has been canceled.

IV. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM.
The examiner can also be reached on alternative Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

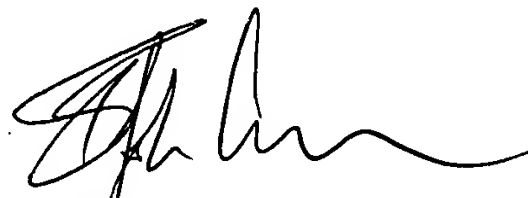
Any response to this action should be mailed to:

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

VHN



ST. JOHN COURTENAY III
PRIMARY EXAMINER